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## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/750,432	12/31/2003	Stephen F. Smith	UBAT1110

25094  
 GRAY, CARY, WARE & FREIDENRICH LLP  
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 SUITE 400  
 AUSTIN, TX 78746-6875



CONFIRMATION NO. 1772

## FORMALITIES LETTER



\*OC000000012529360\*

Date Mailed: 05/05/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/26/2004 BABRAHA1 00000085 10750432

02 FC:1051

130.00 OP

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$1276** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Repln. Ref: 07/26/2004 BABRAHA1 0020465300  
 DA#503204 Name/Number:10750432  
 FC: 9204 \$2046.00 CR

Total additional fee(s) required for this application is **\$2176** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$1276**

- **\$430** for **5** independent claims over **3**.
- **\$846** for **47** total claims over **20**.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

*Customer Service Center*

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## REPLY TO NOTICE OF MISSING PARTS

Atty. Docket No. (Opt.)  
UBAT1110

Applicants <b>Stephen F. Smith, et al.</b>	
Application Number <b>10/750,432</b>	Filed <b>December 31, 2003</b>
For	
<b>HYBRID SPREAD SPECTRUM RADIO SYSTEM</b>	
Group Art Unit <b>2631</b>	Examiner <b>Unknown</b>
Confirmation No. <b>1772</b>	

**MAIL STOP MISSING PARTS**  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

Certification Under 37 C.F.R. §1.8

I hereby certify that the documents listed below are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP Missing Parts, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 15, 2004.

In response to the Notice to File Missing Parts of Application which was granted a filing date of December 31, 2003, and mailed to us on May 5, 2004. Applicants submit herewith:

1. A copy of the Notice to File Missing Parts of Application;
2. An executed Combined Declaration and Power of Attorney;
3. Associate Power of Attorney; and
4. A Request for One-Month Extension of Time.
5. A check in the amount of \$2286 to cover fees as described below:

Description of Fee	Amount
Basic Filing Fee Large Entity	\$ 770
Late Fee	\$ 130
Additional Claims Fee	\$ 1276
Extension of Time Fee of 1 Month(s)	\$ 110
Total Fees Enclosed	\$ 2286

A check is enclosed to cover the fees. The Director of the U.S. Patent and Trademark Office is hereby authorized to charge any fees and/or credit any overpayments to Deposit Account 50-3204 of John Bruckner PC.

Respectfully submitted,

**John J. Bruckner PC**

Attorney for Applicant

Dated: July 15, 2004

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